

SUPPORT FOR AMENDMENTS

The amendments to Claim 38 are found at specification page 3 and in original Claim 1. The amendments to Claims 48, 56, 60, 68 and 72 set out the molecular weight ranges in step-wise fashion, as requested. The amendments to Claims 93 and 94 are supported at specification page 8, lines 1-5.

SUMMARY

During the interview Examiner Huang raised a question concerning whether Claim 38 was sufficiently supported by the specification, and requested that both the silicone oil component and wax component of Claim 38 be described in terms of their individual amounts, which has now been done. In addition, and as agreed, in order to avoid a possible "same type" double patenting problem with Claim 2 of parent patent U.S. 5,556,613, the term "aralkyl" has been deleted from the possible "R" definitions in the wax component, as has the limitation that the combined amount of the silicone oil and the wax is at least three percent by weight of the total weight of the composition. Accordingly, and as the present application is now believed to be in condition for allowance, a prompt notice to that effect is respectfully requested.

Attached hereto for the Examiner's convenience is another copy of reference "AAI" from Sheet 23 of the Information Disclosure Statement filed June 18, 2002. During the Interview the data in this document was reviewed using Applicants' copy, as Examiner Huang's copy was not readily available (as discussed, this document includes the data in the French version with table heading translations in the English version). As noted at the first interview in this case, this information is cited because the data was an issue raised in Opposition Proceedings in Europe. In

this regard, attached hereto is a supplemental IDS containing, among other things, further more recent documents from the European proceedings. As none of these documents affect patentability here, Applicants request that this case now be passed to Issue. Should the Examiner have any further questions, she is requested to contact Applicants' attorney at the telephone number listed below.

Respectfully submitted,

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A handwritten signature in black ink, appearing to be 'R. Treanor', written over the firm name.

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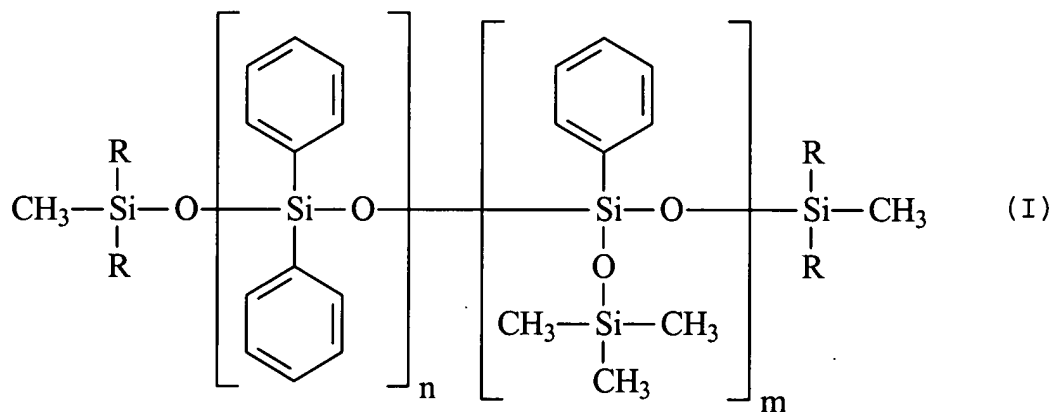
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IN THE CLAIMS

Cancel claims 39, 41, 43, 64, 65, 66, 67, 76, 77, 78, 79, 80, 81, 82, 83, 154, 155, 156, 157.

38. (Once Amended) A silicone oil-based anhydrous cosmetic or dermatological composition comprising a homogeneous fatty phase, said fatty phase comprising a mixture of:

(i) at least one silicone oil, in an amount ranging from 5 to 97% of the total weight of said fatty phase, having the formula:



wherein:

R represents alkyl having 1 to 30 carbon atoms, aryl or aralkyl,

n represents a whole number between 0 to 100, and

m represents a whole number between 0 and 100, provided that the sum of n + m is between 1 and 100; and

(ii) a wax in an amount ranging from 3 to 50% by weight based on the total weight of said fatty phase, having a melting point between 50 and 135°C, said wax being a homopolymer or copolymer having a molecular weight between 200 and 1,500 and being selected from the group consisting of ethylene homopolymers and copolymers of ethylene with a monomer having the formula:



wherein:

R' represents alkyl having 1 to 30 carbon atoms[,], or aryl [or aralkyl;]

[wherein the combined amount of the silicone oil and the wax is at least three percent by weight of the total weight of the composition].

48. (Once Amended) A composition as recited in claim 38, wherein the molecular weight of the wax is between 200 and [1000] 500.

56. (Once Amended) A composition as recited in claim 52, wherein the molecular weight of the ethylene homopolymer is between 200 and [1000] 500.

60. (Once Amended) A composition as recited in claim 52, wherein the molecular weight of the ethylene homopolymer is between [200] 500 and 700.

68. (Once Amended) A composition as recited in claim 52, wherein the molecular weight of the ethylene homopolymer is between [500 and] 700 and 1000.

72. (Once Amended) A composition as recited in claim 52, wherein the molecular weight of the ethylene homopolymer is between [500 and] 1000 and 1500.

93. (Once Amended) A composition as recited in claim 92, wherein the animal wax is [a lanolin compound] selected from the group consisting of beeswax and spermaceti.

94. (Once Amended) A composition as recited in claim [93] 92, wherein the [lanolin compound] animal wax is selected from the group consisting of lanolin wax, lanolin alcohol, hydrogenated lanolin, hydroxylated lanolin, acetylated lanolin, fatty lanolin acids and acetylated lanolin alcohol.